

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

ROBERT HOLMAN,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-01085-STA-jay
)	
THOMAS J. VILSACK, in his official)	
capacity as Secretary of Agriculture;)	
and ZACH DUCHENEAUX, in his official)	
capacity as Administrator of the Farm)	
Service Agency,)	
)	
Defendants.)	

DEFENDANTS’ NOTICE OF SUPPLEMENTAL AUTHORITY

On July 14, 2021, Defendants filed a motion to stay proceedings in light of the certification of classes in the Northern District of Texas that include Plaintiff in this case and, like this Plaintiff, are challenging Section 1005 of the American Rescue Plan (“ARPA”) on equal protection grounds. *See* ECF No. 45. The Court denied the motion. ECF No. 49. On October 15, 2021, Defendants moved for reconsideration of the Court’s stay decision or, in the alternative, for a stay of discovery and all case deadlines pending resolution of Defendants’ motion to dismiss. ECF No. 58. The Court granted the motion to stay discovery and case deadlines pending resolution of the motion to dismiss but did not rule on the motion for reconsideration of its decision denying a stay of the case in its entirety. ECF No. 59.

As indicated in Defendants’ motions to stay and for reconsideration, Defendants have filed similar motions to stay proceedings in other challenges to Section 1005 across the country. On

December 7, 2021, the court in *Wynn v. Vilsack*, No. 2:21-514 (M.D. Fla.), granted Defendants' motion to stay proceedings in that case. Defendants have attached that opinion for this Court's reference and in further support of Defendants' motion for reconsideration of the stay decision. *See* Exhibit 1.

Dated: December 7, 2021

Respectfully submitted,

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